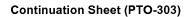
Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/623,150	HEEGAARD ET AL.		
Examiner	Art Unit		
	Ait Oille		

	Jennifer Dunston	1636		
The MAILING DATE of this communication appe	ars on the cover sheet with the o	correspondence add	ess	
THE REPLY FILED <u>22 September 2009</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.				
1. The reply was filed after a final rejection, but prior to or on application, applicant must timely file one of the following application in condition for allowance; (2) a Notice of Appelor Continued Examination (RCE) in compliance with 37 C periods:	replies: (1) an amendment, affidavi eal (with appeal fee) in compliance	t, or other evidence, w with 37 CFR 41.31; or	hich places the (3) a Request	
a) The period for reply expires <u>3</u> months from the mailing date b) The period for reply expires on: (1) the mailing date of this Ar no event, however, will the statutory period for reply expire la Examiner Note: If box 1 is checked, check either box (a) or (I MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f	dvisory Action, or (2) the date set forth hter than SIX MONTHS from the mailing b). ONLY CHECK BOX (b) WHEN THE	g date of the final rejectio	n.	
Extensions of time may be obtained under 37 CFR 1.136(a). The date of have been filed is the date for purposes of determining the period of extunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL	ension and the corresponding amount hortened statutory period for reply origi	of the fee. The appropria nally set in the final Office	te extension fee e action; or (2) as	
 The Notice of Appeal was filed on A brief in complifiling the Notice of Appeal (37 CFR 41.37(a)), or any exter Notice of Appeal has been filed, any reply must be filed wi AMENDMENTS 	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of the		
3. The proposed amendment(s) filed after a final rejection, be (a) They raise new issues that would require further cor (b) They raise the issue of new matter (see NOTE below (c) They are not deemed to place the application in better the content of the conte	nsideration and/or search (see NO¯ w);	ΓE below);		
appeal; and/or (d) They present additional claims without canceling a c			ie issues ioi	
NOTE: (See 37 CFR 1.116 and 41.33(a)).	, ,			
4. The amendments are not in compliance with 37 CFR 1.12	21. See attached Notice of Non-Co	mpliant Amendment (F	PTOL-324).	
Applicant's reply has overcome the following rejection(s):				
 Newly proposed or amended claim(s) would be all non-allowable claim(s). 		•	-	
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is proved the status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: <u>9,21 and 22</u> . Claim(s) withdrawn from consideration:		l be entered and an ex	planation of	
AFFIDAVIT OR OTHER EVIDENCE				
 The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e). 				
9. The affidavit or other evidence filed after the date of filing a entered because the affidavit or other evidence failed to or showing a good and sufficient reasons why it is necessary	vercome <u>all</u> rejections under appea	al and/or appellant fails	to provide a	
 The affidavit or other evidence is entered. An explanation <u>REQUEST FOR RECONSIDERATION/OTHER</u> 	n of the status of the claims after e	ntry is below or attache	ed.	
11. The request for reconsideration has been considered but See continuation sheet.	, , , , ,	condition for allowand	ce because:	
12. Note the attached Information <i>Disclosure Statement</i> (s). (PTO/SB/08) Paper No(s)				
	Jennifer Dunston			
	Examiner Art Unit: 1636			



Application No.